



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/762,440

01/22/2004

Bernard J. Kerr

260-006

5178

44185

7590

04/29/2009

LOTUS AND RATIONAL SOFTWARE

David A. Dagg, Esq.

44 Chapin Road

Newton, MA 02459

EXAMINER

PARK, JEONG S

ART UNIT

PAPER NUMBER

2454

NOTIFICATION DATE

DELIVERY MODE

04/29/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

dave@davedagg.com

Office Action Summary	Application No. 10/762,440	Applicant(s) KERR ET AL.	
	Examiner JEONG S. PARK	Art Unit 2454	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 27-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 27-42 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/12/2009 has been entered.

Response to Arguments

2. Applicant's arguments filed 3/12/2009, with respect to claims 1-8 and 27-42 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8 and 27-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aravamudan et al. (hereinafter Aravamudan)(U.S. Patent No. 6,301,609 B1) in view of Frank et al. (hereinafter Frank)(U.S. Pub. No. 2005/0125541).

Regarding claims 1, 27 and 35, Aravamudan teaches as follows:

A method of providing a local computer system user (subscribing client, 140 in figure 1 and 2) with detail information (pending events, see, e.g., col. 7, lines 3-33)

Art Unit: 2454

about at least one remote computer system user (selected buddies, 140 in figure 1 and 2)(IM sever sends an instance message communicating the pending event from the selected buddies, see, e.g., col. 7, lines 21-40), comprising:

obtaining, by an awareness client application process (downloaded client software 204 in figure 4) executing on a local computer system from an associated awareness server application process executing on a server computer system (the user installs the provisioning software such as IM client application onto his CPE device from the IM server, see, e.g., col. 6, lines 32-63), an online status of said remote computer system user (IM sever sends an instance message communicating the pending event such as status of selected buddies, see, e.g., col. 7, lines 21-40); and

presenting, to said local computer system user by said awareness client application process in a display of said local computer system, an awareness object (events) associated with said remote computer system user, wherein said awareness object includes an indication of said remote computer system user (all clients being used as subscribing client or buddy should be registered first by indicating user's online status and current user address, see, e.g., col. 7, lines 1-8 and step 234 in figure 5, information relating to the buddy's premises equipment such as Internet address, see, e.g., col. 9, lines 52-52) wherein said awareness object further includes a visual indication of said online status of said remote computer system user (IM sever sends an instance message communicating the pending event such as status of selected buddies, see, e.g., col. 7, lines 21-40).

Aravamudan does not teach of obtaining the detail information from a detail information database server process, wherein the detail information regarding remote user includes a visual image associated with said remote computer system user, a contact phone number, at least one job role, at least one direct report, and at least one area of expertise of said remote computer system user, and of detecting and presenting processes related to obtaining detail information process.

Frank teaches as follows:

Obtaining, by said awareness client application process on said local computer system (equivalent to first person), responsive to said presenting said awareness object associated with said remote computer system user (equivalent to second person), detail information (equivalent to identifying characteristics) regarding said remote user for display to said local computer system user (first person obtains the identifying characteristics of the second person, see, e.g., page 3, paragraph [0019]), wherein said detail information is obtained from a detail information database server process separate from said awareness server application process (information about the incoming call and user is able to retrieve from database 20 in figure 1, see, e.g., page 4, paragraph [0042]), and wherein said detail information regarding said remote user includes a visual image associated with said remote computer system user, a contact phone number, at least one job role, at least one direct report, and at least one area of expertise of said remote computer system user (identifying characteristic includes a telephone number, image of the second person (see, e.g., page 3, paragraph [0019]), and user's organization, title and/or photo (see, e.g., page 4, paragraph [0042]));

detecting a selection of said awareness object associated with said remote computer user by said local computer system user (user selects a particular contact from the list in GUI, see, e.g., page 5, paragraph [0051]); and

presenting, to said local computer system user by said awareness client application process responsive to said detecting said selection of said awareness object associated with said remote computer user by said local computer system user, said detail information regarding said remote computer system user in said display of said local computer system (integration software responds to user clicking on button by retrieving a telephone number and other information from a contact specified by user in database and presents GUI to user, see, e.g., page 6, paragraph [0055]), wherein said presenting includes allowing initiation of an internet protocol phone call (equivalent to VoIP) by selection of said contact phone number by said local computer system user (once user identified a person to communicate with, the user can choose a mode of communication by clicking on a button 128 for voice conversation mode of personal communication using VoIP software, see, e.g., page 6, paragraph [0054] and figure 3).

It would be obvious to combine Frank with Aravamudan in order to efficiently select a contacting person among a contact list based on more information associated with the contacting person.

Regarding claims 2, 28 and 36, they are rejected for similar reason as presented above in claims 1, 27 and 35.

Frank further teaches as follows:

Conveying, in association with a user identifier for said remote computer system

user, an identifier of said detail information database server process from said awareness application server process to said awareness application client process (identifying characteristic is conveyed from database 20 via server 18 to computer 14 or 30 to present the identifying characteristic, see, e.g., page 4, paragraph [0042] and figure 1);

determining, by said awareness application client process in response to said selecting of said awareness object associated with said remote computer system user, said identifier of said detail information database server process (user selects a particular contact from the list in GUI based on the identifying characteristic from the database, see, e.g., page 5, paragraph [0051]); and

wherein said obtaining said detail information regarding said remote computer system user is performed by said awareness application client process (computer 14 and 30 in figure 1) over a communications network using said identifier of said detail information database server process (the computer can use the identity of the requesting user and the identifying characteristic obtained from the database and present to user requesting for a conversation, see, e.g., page 4, paragraph [0042]).

Regarding claims 3, 29 and 37, Aravamudan teaches as follows:

Said obtaining said detail information regarding said remote computer system user is performed through an application programming interface (IM application between the IM server and the IM client) to said detail information database server process (utilizing the existing and emerging instant messaging services and

Art Unit: 2454

communication protocols to locate a registered user, query the user for a proposed message disposition or other action, see, e.g., col. 2, lines 25-32).

Regarding claims 4, 30 and 38, Aravamudan teaches as follows:

Said presenting said detail information regarding said remote computer system user in a display for said local computer system graphic comprises presenting said detail information regarding said remote computer system user graphic indication of said remote user in a display window for an application process executing in said local computer system separately from said awareness client application process (when the subscribing is off-line, the CSP determines an alternative disposition for the initiating important event such as automated calls to the registered mobile phone or email to the other registered device, other than sending an instance message, see, e.g., col. 8, lines 56-65 and col. 11, lines 21-34). Therefore it would be obvious to use a display window for initiating contact to the remote computer system by other than the awareness client application process (interpreted as the instance message).

Regarding claims 5, 31 and 39, Aravamudan teaches as follows:

Said presenting said detail information regarding said remote computer system user presents said detail information through a pop-up display window (showing pop-up window is inherent function and is well-known in the art, see, e.g., col. 11, lines 21-24).

Regarding claims 6, 32 and 40, Aravamudan teaches as follows:

Presenting an interface to said local user, wherein said interface enables said local user to indicate whether detail information regarding said local user is to be shared with other users (assigning a buddy priority to individual buddies or groups of buddies in

Art Unit: 2454

order to maintain control of his privacy with respect to his online location, presence, and activities, see, e.g., col. 9, line 63 to col. 10, line 15).

Regarding claims 7, 33 and 41, Aravamudan teaches as follows:

Presenting an interface to said local user, wherein said interface enables said local user to specify detail information regarding said local user that is to be shared with other users (different priority, such as high, low and highest priority, to individual buddies determines different level of presence information such as real-time presence, shielding the user's activity and so on, see, e.g., col. 9, line 45 to col. 10, line 51).

Regarding claims 8, 34 and 42, Aravamudan teaches as follows:

Presenting an interface to said local user, wherein said interface enables said local user to specify one or more other users with which detail information regarding said local user is to be shared (the subscribing client creates buddy groups and defines specific attributes to associates included with each group, see, e.g., col. 9, lines 45-52).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEONG S. PARK whose telephone number is (571)270-1597. The examiner can normally be reached on Monday through Friday 7:00 - 3:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2454

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jeong S Park/

Examiner, Art Unit 2454

April 20, 2009

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2454